

PROCEEDINGS OF THE COMMON COUNCIL  
IN REGULAR SESSION  
TUESDAY \_\_\_\_\_, JUNE 10 \_\_\_\_\_, 19 75

CITY OF FORT WAYNE, INDIANA  
JOURNAL OF THE PROCEEDINGS  
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council Chambers  
Tuesday \_\_\_\_\_ evening June 10 A.D., 1975, in Regular  
Session. President James S. Stier \_\_\_\_\_ in the chair, and  
Charles W. Westerman \_\_\_\_\_ Clerk, at the desk, present the following  
members \_\_\_\_\_ viz:  
Burns \_\_\_\_\_ ✓, Hinga \_\_\_\_\_ ✓, Kraus \_\_\_\_\_ ✓  
Moses \_\_\_\_\_ ✓, Nuckols \_\_\_\_\_ A., Donald Schmidt \_\_\_\_\_ ✓  
Vivian Schmidt \_\_\_\_\_ ✓, Stier \_\_\_\_\_ ✓, Talarico \_\_\_\_\_ ✓  
Absent \_\_\_\_\_ 1  
Councilmen Nuckols - \_\_\_\_\_, \_\_\_\_\_,  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

The invocation was given by Reverend Don Quayle - St. John's United Church  
of Christ

Received report from the City Controller for the month of \_\_\_\_\_,  
19\_\_\_\_. Motion made and carried that report be made a matter of record and  
placed on file.

The minutes of the last regular \_\_\_\_\_, 19\_\_\_\_, special \_\_\_\_\_, 19\_\_\_\_,

Session having been delivered to the Council, were, on motion, approved and  
published.



# ST. JOHN'S UNITED CHURCH OF CHRIST

219 WEST WASHINGTON BLVD. • FORT WAYNE, INDIANA 46802 • Church Phone 743-3438  
Don R. Quayle, Pastor • R. William Bonham, D.C.E. • Parsonage Phone 447-3975

PRAYER FOR THE CITY COUNCIL SESSION, June 10, 1975

O Lord, we realize that You have provided for us in our common life a civil government to maintain order in society and work for justice and peace among mankind.

For those who accept the challenge to be involved in the government through positions of leadership we are indeed grateful. We ask that their motives in so doing may be out of the desire to create a better community in which they and their fellow man may live. Although all of us are guided somewhat by selfish motives in everything that we do, we ask that You may work through what may not always be the best motives to accomplish Your purpose here in this city of Ft. Wayne and on the face of the earth.

As the members of the Council deliberate the various matters which confront them may Your Holy Spirit guide and work in their midst so that the needs of the people may be uppermost in their minds and the decisions which are reached may be according to Your Holy Will.

These prayers we offer in the name of Christ our Lord. Amen.



## THE CITY OF FORT WAYNE

office of the mayor

May 28, 1975

To the Common Council  
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Today, May 28, 1975, I have approved the following ordinances passed by the Common Council at the regular meeting of May 27, 1975.

(Bill No. A-75-05-28)  
APPROPRIATION ORDINANCE NO. A-18-75

AN ORDINANCE appropriating certain unobligated funds for various Programs in the 1975 Budget of the City of Fort Wayne

(Bill No. S-75-05-02)  
SPECIAL ORDINANCE NO. S-78-75

AN ORDINANCE approving Change Order No. 2 in connection with street, sidewalk and lighting improvement on Resolution No. 5658-74

(Bill No. S-75-05-03)  
SPECIAL ORDINANCE NO. S-79-75

AN ORDINANCE approving a certain bid document for purchase of vehicles for Police Department and Fire Department

(Bill No. S-75-05-04)  
SPECIAL ORDINANCE NO. S-80-75

AN ORDINANCE approving a certain bid document with TIFFIN SCENIC STUDIOS, INC. for purchase of Theatrical Equipment for Foellinger Outdoor Theatre in Franke Park

(Bill No. S-75-05-05)  
SPECIAL ORDINANCE NO. S-81-75

AN ORDINANCE approving a contract with DAILEY ASPHALT PRODUCTS CO. INC. for improvement in Councilmanic District

MADE A MATTER OF RECORD  
DATE 6/16/75 CHARLES W. WESTERMAN, CITY CLERK

*(Bill No. S-75-05-06)*  
**SPECIAL ORDINANCE NO. S-82-75**

*AN ORDINANCE approving contracts "A" and "B" with CONTINENTAL CONSTRUCTION for curb and sidewalk repairs in the 6th Councilmanic District under Resolution 5649-1974*

*(Bill No. S-75-05-07)*  
**SPECIAL ORDINANCE NO. S-83-75**

*AN ORDINANCE approving a certain bid document with SUMMIT CITY COACH COMPANY for purchase of ambulance*

*(Bill No. S-75-05-18)*  
**SPECIAL ORDINANCE NO. S-84-75**

*AN ORDINANCE approving a contract with T-G EXCAVATING, INC. for sidewalk repair in the 5th Councilmanic District under Resolution 5648-1974*

*(Bill No. S-75-05-09)*  
**SPECIAL ORDINANCE NO. S-85-75**

*AN ORDINANCE approving a contract with NOBIS-WESTROPP CONSTRUCTION CO. for water and sewer facilities under Waynedale, Phase II Improvement Resolution 5677-1974*

*(Bill No. S-75-05-10)*  
**SPECIAL ORDINANCE NO. S-86-75**

*AN ORDINANCE approving a contract with MOELLERING CONSTRUCTION CO. for Waynedale Phase II Improvement Resolution 5677-1974*

*(Bill No. R-75-05-40)*  
**RESOLUTION NO. R-36-75**

*A RESOLUTION authorizing the Department of Community Development and Planning to apply for a Comprehensive Planning Grant from HUD*

*(Bill No. R-75-05-41)*  
**RESOLUTION NO. R-37-75**

*A RESOLUTION authorizing the temporary advancement of funds from Account 10-965-999 NON-ENGLISH SPEAKING GRANT to Account 10-720-999 TRAFFIC SAFETY WORK PROGRAM for the period ending December 31, 1975*

*(Bill No. R-75-05-42)*  
**RESOLUTION NO. R-38-75**

*A RESOLUTION authorizing the Department of Community Development and Planning to apply for federal funds under Innovative Community Development Demonstration Project Grant Program*

*(Bill No. R-75-05-43)*  
*(AS AMENDED)*  
*RESOLUTION NO. R-39-75*

*A RESOLUTION directing the disposal of solid waste by the sewage utility*

*(Bill No. R-75-05-48)*  
*RESOLUTION NO. R-40-75*

*A RESOLUTION authorizing the Department of Community Development and Planning to apply for and execute a HUD Counseling Agency contract*

*(Bill No. S-75-05-16)*  
*SPECIAL ORDINANCE NO. S-87-75*

*AN ORDINANCE approving a contract with HIPSKIND ASPHALT CORPORATION for improvement of abandoned railroad crossings*

*(Bill No. S-75-05-17)*  
*SPECIAL ORDINANCE NO. S-88-75*

*AN ORDINANCE approving a contract with REITH-RILEY CONSTRUCTION CO. for proposed purchase of materials for Street Department*

*(Bill No. S-75-05-19)*  
*SPECIAL ORDINANCE NO. S-89-75*

*AN ORDINANCE approving Change Order No. 1 connection with resurfacing program Resolution 5669-1974*

*(Bill No. S-75-05-20)*  
*SPECIAL ORDINANCE NO. S-90-75*

*AN ORDINANCE approving Contracts for proposed purchase of paper*

*(Bill No. S-75-05-21)*  
*SPECIAL ORDINANCE NO. S-91-75*

*AN ORDINANCE approving a contract with EARLY ELEVATOR COMPANY for repair to freight elevator for Water Maintenance & Service Department*

(Bill No. S-75-05-22)  
SPECIAL ORDINANCE NO. S-92-75

*AN ORDINANCE approving a contract with REITH RILEY CONSTRUCTION CO.  
for proposed purchase of Hot Asphalt Concrete Pavement Mix*

(Bill No. S-75-05-23)  
SPECIAL ORDINANCE NO. S-93-75

*AN ORDINANCE approving a contract with GENERAL ELECTRIC COMPANY for  
proposed purchase of materials for TOPICS Lighting Projects*

(Bill No. S-75-05-24)  
SPECIAL ORDINANCE NO. S-94-75

*AN ORDINANCE approving a contract with GENERAL ELECTRIC COMPANY  
for proposed purchase of street lighting luminaires*

(Bill No. S-75-05-25)  
SPECIAL ORDINANCE NO. S-95-75

*AN ORDINANCE approving a contract with WESTINGHOUSE ELECTRIC SUPPLY  
for purchase of material for Street Lighting Department*

(Bill No. S-75-05-26)  
SPECIAL ORDINANCE NO. S-96-75

*AN ORDINANCE approving Change Order No. 2 in connection with Division  
II, WPC Plant Expansion*

(Bill No. S-75-05-27)  
SPECIAL ORDINANCE NO. S-97-75

*AN ORDINANCE approving a contract with NORTH EASTERN ENTERPRISES, INC.  
for Sewer Extension in Walden Addition, Section III*

(Bill No. R-75-05-63)  
RESOLUTION NO. R-41-75

*A RESOLUTION concerning the location and construction of a Regional Correctional  
Center and Repealing Resolution No. R-13-72*

*Respectfully yours,*

  
Ivan A. Lebamoff  
Mayor



## COMMUNITY DEVELOPMENT AND PLANNING

long range planning and zoning

May 30, 1975

### COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:


Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-75-03-14

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
30th day of May, 1975.

  
\_\_\_\_\_  
Charles N. Hall  
Secretary

MADE A MATTER OF RECORD  
DATE 6/16/75 CHARLES W. WESTERMAN, CITY CLERK





## COMMUNITY DEVELOPMENT AND PLANNING

long range planning and zoning

May 30, 1975

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their meeting held May 27, 1975. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-75-03-14
2. Intended Use: Office - apartment
3. Plan Commission Recommendation: DO NOT PASS

This ordinance received a DO NOT PASS recommendation for the following reasons:

- a). This change will conflict with the present zoning in the area, which is two family residential - the neighborhood should be preserved in its present zoning classification.
- b). Off-street parking cannot be provided on site without taking the rear lot of the home to meet requirements.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING  
Division of Long Range Planning and  
Zoning

James Geraghty  
Director

JG:pr  
ATT.

cc: Mayor Ivan Lebanoff





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1-75-03-14

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 11, 1975, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-75-03-14; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 19, 1975;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 27, 1975.

Certified and signed this  
30th day of May, 1975.



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Charles N. Hall  
Secretary



## COMMUNITY DEVELOPMENT AND PLANNING

long range planning and zoning

May 30, 1975

### COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) zoning ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-75-04-08

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
30th day of May, 1975.

A handwritten signature in cursive script, reading "C. N. Hall", written over a horizontal line.

Charles N. Hall  
Secretary

MADE A MATTER OF RECORD  
DATE 6/18/75 CHARLES W. WESTERMAN, CITY CLERK





## COMMUNITY DEVELOPMENT AND PLANNING

long range planning and zoning

May 30, 1975

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held May 27, 1975. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved:

1. Bill No. Z-75-04-08
2. Intended Use: Credit Union Office for Dana
3. Plan Commission Recommendation: DO PASS

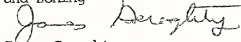
This ordinance received a DO PASS recommendation for the following reasons:

- a) This request will not, if handled correctly, be out of character with the neighborhood. The intended use is a credit union for Dana Corp. The approval of the credit union for site with the necessary restrictions will come from the Board of Zoning Appeals.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING  
Division of Long Range Planning  
and Zoning

  
James Geraghty  
Director

JG:pr  
att.  
cc: Mayor Ivan Lebaroff

in regular correspondence



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 8, 1975, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-75-04-08; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 19, 1975;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

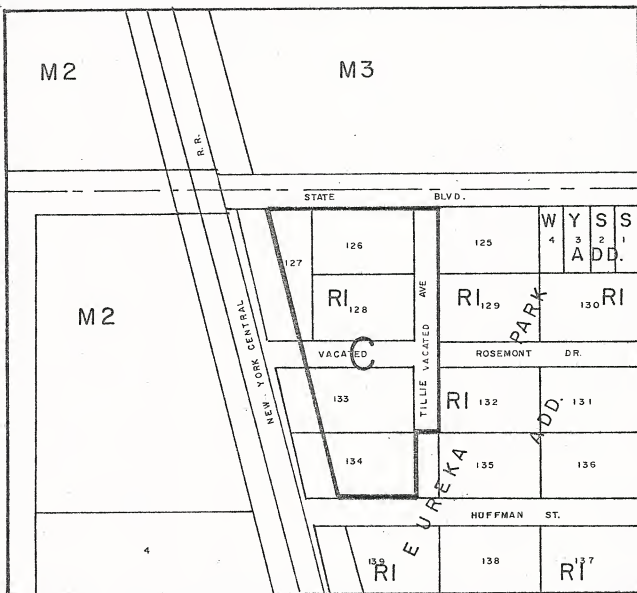
This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 27, 1975.

Certified and signed this  
30th day of May, 1975.



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Charles N. Hall  
Secretary



C CHANGE FROM RI TO R3

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2-75-04-08



## COMMUNITY DEVELOPMENT AND PLANNING

long range planning and zoning

May 30, 1975

### COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-74-11-08

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
30th day of May, 1975.

Charles N. Hall  
Secretary

MADE A MATTER OF RECORD  
DATE 6/16/75 CHARLES W. WESTERMAN, CITY CLERK





## COMMUNITY DEVELOPMENT AND PLANNING

long range planning and zoning

May 30, 1975

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held May 27, 1975. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-74-11-08
2. Intended Use: K & K Insurance Company
3. Plan Commission Recommendation: DO NOT PASS

The ordinance received a DO NOT PASS recommendation for the following reasons:

- a) This area is predominately single family, therefore a change in zoning to an "R3" is not in character with the neighborhood. At the present time the City is involved in a program to upgrade the neighborhood thru the Community Development act. It is our opinion that this change in zoning will hinder neighborhood improvements in the area by allowing expansion of a non-residential use. The present use is not a detriment to the neighborhood, however, at some point in time the petitioner may relocate which would allow other uses in the building which would not be nearly as compatible.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING  
Division of Long Range Planning  
and Zoning

*James Geraghty*  
James Geraghty  
Director



RSW:pr  
ATT.

cc: Mayor Ivan Lebaroff

an equal opportunity employer



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RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on November 12, 1974, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-74-11-08; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 19, 1975;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

Be it further resolved that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 27, 1975.

Certified and signed this  
30th day of May, 1975.

A handwritten signature in dark ink, appearing to read "C. N. Hall", written over a horizontal line.

Charles N. Hall  
Secretary



## COMMUNITY DEVELOPMENT AND PLANNING

long range planning and zoning

May 30, 1975

### COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-75-04-09

Respectfully submitted

CITY PLAN COMMISSION

Certified and signed this  
30th day of May, 1975.

Charles N. Hall  
Secretary

MADE A MATTER OF RECORD  
DATE 6/18/75 CHARLES W. WESTERMAN, CITY CLERK

an equal opportunity employer





## COMMUNITY DEVELOPMENT AND PLANNING

long range planning and zoning

May 30, 1975

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held May 27, 1975. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance.

1. Bill No. Z-75-04-09
2. Intended Use: Dentist office
3. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reasons:

- a) This request is a logical one because of adjacent multiple family development. This office will require alternate approval of the Board of Zoning Appeals.

If there are any questions with regard to this ordinance, please feel free to contact us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING  
Division of Long Range Planning  
and Zoning

*James Geraghty (pr)*

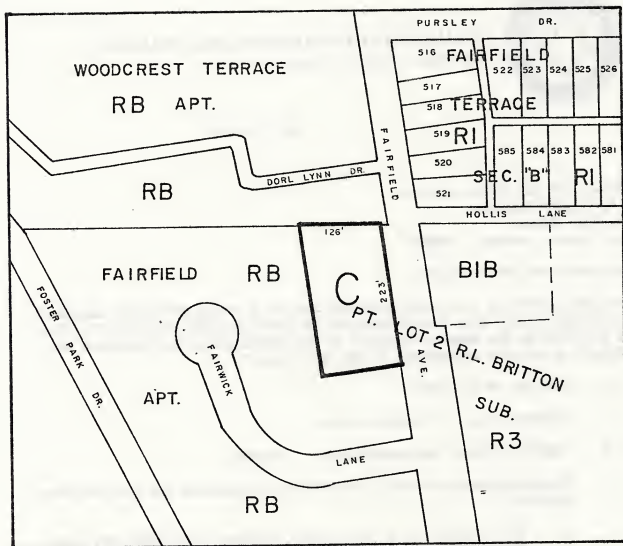
James Geraghty  
Director

JG:pr  
att.

cc: Mayor Ivan Lebaroff

an equal opportunity employer





C CHANGE FROM RB TO R3

N

2-75-04-09

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 8, 1975, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-75-04-09; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 19, 1975;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 27, 1975.

Certified and signed this  
30th day of May, 1975.

A handwritten signature in dark ink, appearing to read "C. N. Hall", written over a horizontal line.

Charles N. Hall  
Secretary



## COMMUNITY DEVELOPMENT AND PLANNING

long range planning and zoning

May 30, 1975

### COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana 1946). The proposed ordinance is designated as:

Bill No. G-75-05-15

Respectfully submitted

CITY PLAN COMMISSION

Certified and signed this  
30th day of May, 1975.

Charles N. Hall  
Secretary

MADE A MATTER OF RECORD

DATE 6/10/75 CHARLES W. WESTERMAN, CITY CLERK





## COMMUNITY DEVELOPMENT AND PLANNING

long range planning and zoning

May 30, 1975

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to an amendment to the ZONING ORDINANCE OF THE CITY OF FORT WAYNE, acted upon by the City Plan Commission at their regular meeting held May 27, 1975. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance.

1. Bill No. G-75-05-15
2. An ordinance amending Section 3, Article II, and Section 13, Article IV of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, providing for Barber Shop, Beauty Parlor, Insurance and similar office uses as Home Occupation Uses in All Districts following Board of Zoning Appeals approval.
3. Plan Commission Recommendation: DO PASS

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING  
Division of Long Range Planning  
and Zoning

*James Geraghty (sr)*  
James Geraghty  
Director

JG:pr  
ATT.

cc: Mayor Ivan Lebaroff





RESOLUTION FOR ZONING ORDINANCE AMENDMENT

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 13, 1975, referred a proposed Zoning Ordinance Amendment to the City Plan Commission which proposed ordinance was designated as Bill No. G-75-05-15; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 27, 1975;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be given a DO PASS for the reasons that a need has been shown for the Zoning Ordinance of the City of Fort Wayne to be amended, the amendment will be in the best interest of and benefit to the citizens involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 27, 1975.

Certified and signed this  
30th day of May, 1975.



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Charles N. Hall  
Secretary

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4 BILL NO. G-74-<sup>5-05</sup>09-15

5 GENERAL ORDINANCE NO. G-\_\_\_\_\_

6 AN ORDINANCE amending Section 3, Article II, and  
7 section 13, Article IV of Chapter 36 of the Municipal  
8 Code of the City of Fort Wayne, Indiana, providing  
9 for Barber Shop, Beauty Parlor, Insurance and  
similar office uses as Home Occupation Uses in  
All Districts following Board of Zoning Appeals  
Approval

10 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
11 FORT WAYNE, INDIANA:

12 SECTION 1. Section 3, (27) of Article II, of the  
13 Fort Wayne Municipal Code, Chapter 36, is hereby repealed and  
14 in lieu thereof a new Section 3, (27) of Article II of the  
15 Fort Wayne Municipal Code, Chapter 36, is hereby enacted as  
16 follows:

17 Section 3. Definitions.

18 (27) Home Occupation--Any use conducted entirely  
19 within a dwelling and participated in solely by members  
20 of the family, which use is clearly incidental and  
21 secondary to the use of the dwelling for dwelling pur-  
22 poses and does not change the character thereof and in  
23 connection with which there is no commodity sold upon  
24 the premises except that which is produced thereon, and  
25 provided, however, in no event shall a tea room or animal  
26 hospital be construed as a home occupation.

27 SECTION 2. Section 13 of Article IV, of the Fort  
28 Wayne Municipal Code, Chapter 36, is hereby amended by adding  
29 thereto a new subsection G. of Section 13 of Article IV of  
30 the Fort Wayne Municipal Code, Chapter 36, which is hereby  
31 enacted as follows:

32 Section 13. Special Uses--Specified Districts.

33 G. In R1, R2, R3, RA and RB districts the Board may  
34 permit Beauty Parlors, Barber Shops, Insurance and  
35 similar offices which satisfy all the requirements  
for "Home Occupation", as such term is defined in  
this Chapter, for a period not to exceed one year from  
the date of the special use Improvement Location  
Permit issued by authority of the Board. Upon sub-  
mission of an application to the Board of Zoning Appeals  
for a Barber Shop or Beauty Shop the applicant must  
also submit a copy of his or her valid state operators  
license. Prior to issuance of the Certificate of  
Occupancy the applicant must present to the City Zoning  
Enforcement Officer, evidence that the Barber Shop or  
Beauty Shop meets the requirement of the State of Indiana  
with respect to its operation. The Special Use Improve-  
ment Location permit may be reissued on each subsequent

36 APPROVED AS TO FORM  
37 AND LEGALITY  
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4 annual expiration date for an additional year if the  
5 Board finds that the public convenience and welfare  
6 will be substantially served and that the proposed  
7 renewal will not be unduly detrimental to the surround-  
8 ing area. A public hearing will not be required for  
9 renewal permits.

10 SECTION 3. If any part, parts, section or sections,  
11 provision, clause or portion of this ordinance shall be adjudged  
12 invalid or unconstitutional, such invalidity or unconstitutionality  
13 shall not affect the validity or constitutionality of this  
14 ordinance as a whole or any part, section, clause, provision,  
15 or portion of this ordinance.

16 SECTION 4. This ordinance shall be in full force and  
17 effect from and after its passage, approval by the Mayor and  
18 legal publication thereof.

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Councilman



## COMMUNITY DEVELOPMENT AND PLANNING

long range planning and zoning

May 30, 1975

### COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution of the City Plan Commission, passed at their regular meeting held May 27, 1975. This resolution concerns a proposed ordinance establishing the Embassy Theatre and the Indiana Hotel as an Historical District.

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
30th day of May, 1975.

Charles N. Hall  
Secretary

MADE A MATTER OF RECORD  
DATE 6/10/75 CHARLES W. WESTERMAN, CITY CLERK



RESOLUTION FOR ESTABLISHING HISTORICAL DISTRICT

WHEREAS, the City Plan Commission, at their regular meeting held May 27, 1975, proposed to prepare an ordinance for the establishment of the Embassy Theatre and the Indiana Hotel as an historical district.

WHEREAS, this action was taken by the City Plan Commission following consultation with the Mayor's Commission on Preservation and Restoration and the Embassy Theatre Foundation, Inc.,

WHEREAS, a forthcoming ordinance will be submitted to the City Council, for introduction and action, establishing the Embassy Theatre and the Indiana Hotel as an Historical District;

NOW THEREFORE, BE IT RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 27, 1975.

Certified and signed this  
30th day of May, 1975.



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Charles N. Hall  
Secretary



## THE CITY OF FORT WAYNE

department of public safety

June 6, 1975

President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith is an authenticated copy of the Board of Public Safety Regulatory Resolution Number 24-75/E.

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

Thomas J. Casaburo  
Director of Public Safety

TJC:ss

MADE A MATTER OF RECORD  
DATE 6/10/75 CHARLES W. WESTERMAN, CITY CLERK

RETURN CERTIFICATE

(Regulatory Resolution No. 24-75 / E )

I hereby certify that I did this 6th day of June, 19 75 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 24-75 / E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.

Richard M. Drake

EXECUTIVE SECRETARY

REGULATORY RESOLUTION NO24-75 /E

(Adopted \_\_\_\_ June \_\_\_\_ 6 \_\_\_\_ , 1975\_\_)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to designating stop intersection, speed limit and  
no parking  
\_\_\_\_\_; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated June 2 , 19 75, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14, 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective June 6 ,

19 75, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. STOP INTERSECTION

1. Winter Street - stop - for Ventura Lane

B. SPEED LIMIT 35 MPH

1. Anthony Blvd. - from - Pettit Avenue to Paulding Road.

C. DELETE: SPEED LIMIT 40 MPH

1. Anthony Blvd. - from - Pettit Avenue to Paulding Road.

D. NO PARKING

1. Hessen Cassle Rd.-east side-from McKinnie Ave. to Rudisill Blvd.

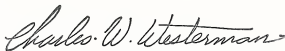


The Council then adjourned.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 10th day of June, 19 75; that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 10th day of June, 19 75.



Charles W. Westerman  
City Clerk

SEAL